



**IN THE FAMILY COURT FOR
SMITH RIVER RANCHERIA**

**INSTRUCTIONS FOR
DISSOLUTION PACKET-
RESPONDENT**

Rev 02/09

Court Address
P.O. Box 992, Smith River, CA 95567-9525

Court telephone no.
(707) 487-6425

If you have been **SERVED** with Dissolution (Divorce) paperwork by your spouse and any Child Custody Petition:

1. You are the **RESPONDENT**. Your spouse is the **PETITIONER**.
2. Fill out, sign and date the Response(s) served on you by the other parent. You can check the boxes stating which areas you agree with and which areas you are opposing. If you and your spouse have minor children, read and follow the Instructions for the Respondent's Child Custody Packet.
3. If you do not believe this court has the jurisdiction to hear this case, you **MUST** file a Motion to Dismiss for Lack of Jurisdiction. **DO NOT** file this motion if you simply disagree with your spouse's proposed dissolution settlement or parenting plan. The Court Clerk's office has a form you may use for this motion.
4. You may request that your physical address and phone number be withheld from the other side if you feel that you can prove you are in danger of harm from the other party should s/he know this information. You must still provide a mailing address so that the court and the other party can mail you necessary documents. You must complete a Motion for Restriction in Parenting Plan.
5. **MAKE A COPY OF ALL OF THE PAPERWORK THAT YOU COMPLETE.** If you do not have copies of your paperwork made when you come to file, the court clerk will charge you 20¢ a page to make a copy of your paperwork. Before (or right after) you file your paperwork with the court clerk, you will need to have someone over the age of 18 mail a copy to the other parent and complete a **PROOF OF SERVICE** by mail form (included in this packet). The original Proof of Service must be filed with the court clerk.
6. **YOU HAVE 30 DAYS TO FILE AND SERVE YOUR RESPONSE.** Once you have been served with the Dissolution paperwork, you have 30 calendar days to file a response with the court clerk and serve your response on your spouse.
7. It costs \$40.00 to file a Response to dissolution in the Smith River Rancheria Tribal Court. **THERE ARE NO FILING FEE WAIVERS.**
8. The Smith River Rancheria Tribal Court applies Smith River Rancheria Tribal law in dissolution cases. **CALIFORNIA LAW DOES NOT APPLY IN TRIBAL COURT.** You can find the Smith River Rancheria Tribal dissolution provisions in the Domestic Relations Ordinance. You can review this code in any of the following ways:
 - a. Ask the court clerk if you can look at the code; or
 - b. Have the court clerk make a copy of the code, at the cost of 20¢ a page; or
 - c. Look on the Smith River Rancheria website: <http://www.tolowa-nsn.gov/>.
9. If you have children, the court's decision will be based on what is in the **best interests of the child**. In order for the court to order the terms requested in your parenting plan, you must be able to explain why your proposed plan is in your child(ren)'s best interest(s).